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PROPOSED ATTORNEY FOR DEBTOR

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
MIDLAND DIVISION

IN RE	§	
	§	
PECOS INN, LLC	§	CASE NO. 22-70099-11
	§	
DEBTOR	§	

EMERGENCY MOTION FOR INTERIM USE OF CASH COLLATERAL  
TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

COMES NOW, Pecos Inn, LLC, Debtor in the above styled and numbered cause and files this its Emergency Motion for Interim Use of Cash Collateral (“Emergency Motion”) and would respectfully show unto the Court as follows:

1. This Court has jurisdiction over this proceeding and the parties and property affected hereby pursuant to 28 U.S.C. §§1334 and 157. Consideration of the Emergency Motion constitutes a core proceeding as defined in 28 U.S.C. §157(b)(2)(A), (K), (M) and (O).
2. The Debtors commenced this proceeding on July 28, 2022 by filing a voluntary petition under Chapter 11 of the United States Bankruptcy Code. Since the filing

of the petition, the Debtor has remained in possession of its assets and continued in operation of its business as a debtor-in-possession pursuant to 11 U.S.C. §§1182 and 1184.

3. The Debtor's business consists of the ownership and operation of a hotel in Pecos, Texas. As a result of a slow down in business, the Debtor sought bankruptcy protection.
4. Newtek Small Business Finance ("Newtek") and the Small Business Administration ("SBA") currently assert lien positions, on among other things the rents, accounts receivable and inventory of the Debtor.
5. The Debtor is in immediately need to use the alleged cash collateral of Newtek and/or the SBA to maintain operations of the business. The continued operations of the Debtor will necessitate the use of the alleged cash collateral.
6. The Debtor seeks to use the alleged cash collateral of Newtek and/or the SBA to make the payroll and continue operations. Debtor seeks interim use of the cash collateral for the uses set forth on Exhibit "A".
7. An emergency exists in that the entire chance of the Debtor's reorganizing depends on the Debtors ability to immediately obtain use the alleged collateral of Newtek and/or the SBA to continue operations of the company while effectuating a plan of reorganization.
8. The Debtor is willing to provide Newtek and the SBA with replacement liens pursuant to 11 U.S.C. § 552 consistent with their existing priority.
9. The Debtor would show that if allowed to continue its operations, it has sufficient operations to generate income to generate the funds needed to continue operations.

WHEREFORE, PREMISES CONSIDERED, the Debtor would request this matter be set down for an Emergency Hearing and that upon hearing, this Court enter and Order authorizing the Debtor's use of the Cash Collateral of Newtek and/or the SBA in the amounts set forth in Exhibit "A" and to grant Newtek and the SBA, adequate protection in the form of replacement liens under 11 U.S.C. § 552 consistent with their existing priority, and for such other and further relief as the Debtor may show itself justly entitled.

Respectfully submitted,

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By: /s/ Eric Liepins  
Eric A. Liepins, SBN 12338110

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Certificate of Service

I hereby certify that a true and correct copy of the foregoing Motion was sent via telecopy to Newtek by and through its counsel of record Dulan Elder at [delder@regllp.com](mailto:delder@regllp.com) and the SBA at [jose.campos@sba.gov](mailto:jose.campos@sba.gov) and the United States Trustee on this the 28th day of July 2022.

/s/ Eric Liepins  
Eric A. Liepins